

ORDINANCE 1574

AN ORDINANCE OF THE CITY OF NORTH BEND, WASHINGTON, APPROVING THE 2015 AMENDMENTS TO THE CITY OF NORTH BEND COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City is required to prepare a Comprehensive Plan under the Growth Management Act (“the GMA”) and is required by RCW 36.70A.040 to implement the Plan with development regulations that are consistent with the Plan; and

WHEREAS, RCW 36.70A.130 requires the City to review and, if needed, revise the Comprehensive Plan and development regulations on a periodic basis to ensure the Plan and regulations comply with the GMA; and

WHEREAS, on April 15, 2014, the City Council passed Resolution No. 1647 directing staff and the Planning Commission to review certain year 2015 docketed requests to amend the Comprehensive Plan and development regulations; and

WHEREAS, the Planning Commission has implemented the scope of work as directed by the City Council in Resolution 1647 and has formulated amendments necessary to ensure the Comprehensive Plan is in compliance with the current provisions of the GMA and King County Countywide Planning Policies; and

WHEREAS, on November 11, 2015, the City issued a Determination of Non-Significance (“DNS”) regarding the Comprehensive Plan Amendments as required by the State Environmental Policy Act (“SEPA”) and the GMA; and

WHEREAS, the City has complied with all other applicable local ordinances, City policy and state laws, including public participation requirements and review by the Washington State Department of Commerce, in preparing the proposed Comprehensive Plan Amendments; and

WHEREAS, pursuant to the amendment procedures prescribed in RCW 35A.63.073, the City Council has previously approved the Critical Areas Element (Resolution 1678), Utilities Element (Resolution 1677), and Housing Element (Resolution 1676) on March 17, 2015, the Capital Facilities Element (Resolution 1700) on October 20, 2015, and the Economic Development Element (Resolution 1704) on November 17, 2015, and the Land Use Element (Resolution 1707) and Parks and Open Space Element (Resolution 1708) on December 8, 2015; and

WHEREAS, no amendments to the Transportation Element are currently required because a major update to the Transportation Element was adopted in 2012 and certified by the Puget Sound Regional Council on December 5, 2013; and

WHEREAS, no amendments to the Shoreline Element are currently required because the Shoreline Element was adopted in 2012 as part of the City's updated Shoreline Master Program; and

WHEREAS, no amendments to the Natural Resources Element or the Energy and Sustainability Element are currently required because both elements are optional under the GMA and have been found consistent with all applicable GMA requirements as currently adopted; and

WHEREAS, on March 30, 2015 the City adopted Ordinance 1549 adopting the Salish Ave Extension annexation, therefore all maps, exhibits and figures depicting the City Boundary throughout the Comprehensive Plan will be updated to reflect this annexation;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. The 2015 Comprehensive Plan Amendments to the City of North Bend Comprehensive Plan are hereby adopted by the City Council as follows:

- a. Housing Element as recommended by Resolution No. 1676;
- b. Utilities Element as recommended by Resolution No. 1677;
- c. Critical Areas Element as recommended by Resolution No. 1678;
- d. Capital Facilities Element as recommended by Resolution No. 1700;
- e. Economic Development Element as recommended by Resolution No. 1704;
- f. Land Use Element as recommended by Resolution No. 1707; and
- g. Parks and Open Space Element as recommended by Resolution No. 1708

Section 2. Consistent with RCW 35A.21.010, the Comprehensive Plan may be modified by Director of Community and Economic Development in the form of exhibits and figures that depict the Salish Ave Extension annexation, along with minor and non-substantive grammatical and punctuation edits prior to filing of this ordinance with the Washington State Department of Commerce.

Section 3. Severability: Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 4. Effective Date: This ordinance shall be published in the official newspaper

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of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 8TH DAY OF DECEMBER, 2015.

CITY OF NORTH BEND:

APPROVED AS TO FORM:

Kenneth G. Hearing, Mayor

Michael R. Kenyon, City Attorney

ATTEST/AUTHENTICATED:

Published: December 16, 2015

Effective: December 21, 2015

Susie Oppedal, City Clerk